

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HECTOR CARABALLO,

Plaintiff,

- against -

06 Civ. 3265 (JES)

CC&S CORPORATION and  
RICHARD DIAZ,

**ORDER**

Defendants.  
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Counsel for all parties in the above-captioned action having appeared before the Court for a Pre-Trial Conference on March 4, 2008, and the Court having considered all matters raised, it is

**ORDERED** that the above-captioned action is hereby discontinued without prejudice to either party to apply on five (5) days' notice for its restoration to the trial calendar of this Court, if said settlement is not consummated; and it is further

**ORDERED** that the parties shall file a Stipulation of Discontinuance and shall exchange releases within thirty (30) days of the date hereof; and it is further

**ORDERED** that if the aforementioned Stipulation of Discontinuance is not filed and/or the parties do not apply to restore the above-captioned action to the trial calendar of this Court within said thirty (30) day period, then this Order of Discontinuance shall be deemed a dismissal of all claims, counterclaims and cross claims, with prejudice, and without costs to either party.

Dated: New York, New York  
March 7, 2008

  
for John E. Sprizzo  
United States District Judge